

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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SALLY S. NEUMANN,

Plaintiff,

CV 12-5827 (JS)(ARL)

-against-

WYANDANCH UNION FREE SCHOOL DISTRICT,

Defendant.

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LINDSAY, Magistrate Judge:

Before the court is the parties' joint letter application dated October 20, 2014 requesting the court resolve a dispute concerning paragraph 5 of the parties' Stipulated Confidentiality Agreement and Protective Order. Specifically, paragraph 5 as proposed by the parties provides as follows:

The person challenging the Confidential designation of any document so marked shall attempt to resolve the objection by conferring in good faith with the Disclosing Party. If, after so conferring in good faith, the person challenging the designation and the Disclosing Party fail to resolve the objection, the person maintaining the designation shall apply to the Court within five business days for an order deeming same Confidential. Until the Court rules on the application challenging the Confidential designation, the Confidential Material shall be treated as Confidential as designated.

Counsel for plaintiff has indicated he wants to insert the following clause at the end of this paragraph:

If the party maintaining such a designation does not make such an application within five business days, the document previously designated as confidential shall lose such designation.

Defense counsel objects to the clause. After reviewing the submissions, the undersigned agrees that with plaintiff's counsel that after five days the status of the document should be clearly defined. To rule otherwise would indefinitely delay resolution of the issue. Accordingly, the proposed Stipulated Confidentiality Agreement and Protective Order set forth in Exhibit B governing the handling of confidential information and documents in this action is So Ordered.

Dated: Central Islip, New York
October 22, 2014

SO ORDERED:

/s/
ARLENE R. LINDSAY
United States Magistrate Judge